

1st

THE T R Y A L O F

Spencer Cowper Esq;

As also the TRYALS of

*Ellis Stephens, John Marson and
William Rogers: For the Murder of Mrs.
Mary Stout, a Quaker, of a considerable
Fortune, at the Assizes held at Hertford, on
Wednesday the 19th. of July, 1699.
20. July. 1699.*

THE Tryal came on at Six in the Morning, and Eight of the Jury that was Empannell'd, were Challenged by the Prisoner, and Six or Seven by the King's-Council: The Pannel being call'd over, Mr. Cowper, one of the Prisoners, (on the behalf of himself and the rest of the Prisoners) objected, That the Council for the King ought to shew a Legal Cause of Challenging them, there not being sufficient Jurors; but the Council for the King insisted, That the Allegation, *Quod bonus pro rege vel non bonus*, was cause sufficient, and the Court Over-ruled it. The Fore-Man of the Jury was *Evan Lloyd* Esquire. There were Thirty or Forty Witnesses on each side produced.

Dr. Garth, Dr. Sloan, and several other Physicians and Chirurgeons, were Examined on both sides, and the Main Question was, Whether she was Drowned, or Killed, and thrown into the Mill-Pond, because no Water was found in the Body, and it was Swimming? 'Twas more than Six Weeks before the Body was Open'd, and there did not appear any Strangling, or Violence offer'd. Most of the Doctors agreed, That the Body might Swim or Lodge, whether Kill'd or Drown'd first.

The Tryal lasted from Six in the Morning, till Four in the Afternoon, and then upon Mature Consideration, they were all Acquitted.

20. 18. 1891